
**Agriculture & Natural Resources
Committee**

HB 1299

Brief Description: Modifying ballast water discharge requirements.

Sponsors: Representatives B. Sullivan, Kretz, Newhouse, Chase and Haler.

Brief Summary of Bill

- Authorizes the discharge of ballast water in Washington waters if the safety of the vessel, its passengers, or crew is in jeopardy.
- Allows vessels to discharge ballast water in Washington waters if water originated in designated Alaskan waters.

Hearing Date: 1/29/07

Staff: Jaclyn Ford (786-7339).

Background:

The Department of Fish and Wildlife (DFW), in cooperation with the United States Coast Guard, may enforce ballast water management and discharge [RCW 77.120.070]. Ballast water is any water or matter taken on board a vessel to maintain trim, draft, stability, or stresses of the vessel [RCW 77.120.010].

Discharge of ballast water in Washington waters is authorized if the vessel has conducted an open sea exchange (an exchange that occurs 50 or more nautical miles offshore). After July 1, 2007, discharge is authorized only if there has been an open sea exchange or if the vessel has treated its ballast water [RCW 77.120.030]. The DFW sets the standards for treated ballast water [RCW 77.120.040]. The penalty for illegally discharging ballast water may not exceed \$5,000 for each violation [RCW 77.120.070].

Vessels are allowed to discharge ballast water or sediments that originated solely within the waters of Washington, the Columbia River system, or designated internal waters of British

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Columbia [RCW 77.120.030]. Ballast water regulations also do not apply to any vessel of the United States Department of Defense, United States Coast Guard, or any vessel of the armed forces [RCW 77.120.020].

Regardless of ballast water regulations, the priority of the master or operator of a vessel is ensuring the safety and stability of the vessel and the safety of the crew and passengers [RCW 77.120.020].

Summary of Bill:

Vessels are authorized to discharge their ballast water in Washington waters if the vessel, its passengers, or its crew are determined by the master of the vessel to be in danger. The master must first make every reasonable effort to make an open sea exchange or treat the ballast water.

If the ballast water originates in designated Alaskan waters, the vessel may discharge the ballast water into Washington waters. However, the DFW may limit waters originating from Alaska or British Columbia if the water poses a danger to Washington waters.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.